

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

This document summarizes the federal and state laws for selling and giving competitive foods to students in public schools that participate in the U.S. Department of Agriculture’s (USDA) National School Lunch Program (NSLP) and choose not to implement the healthy food option of Healthy Food Certification (HFC) under [Section 10-215f](#) of the Connecticut General Statutes (C.G.S.).

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Overview of Law Categories

Three categories of laws for competitive foods determine what and when foods and beverages may be sold or given to students on school premises and where the income must accrue.

Category 1: Nutrition standards for foods and beverages

- Healthy Food Certification (HFC): [Section 10-215f](#) of the Connecticut General Statutes (C.G.S.)
- Connecticut Nutrition Standards (CNS): C.G.S. [Section 10-215e](#)
- USDA's Smart Snacks nutrition standards for competitive foods: [81 FR 50131](#)
- State beverage statute for public schools: [C.G.S. Section 10-221q](#)

Category 2: Restrictions for selling and giving foods and beverages

- State statute requiring public schools to sell nutritious and low-fat foods whenever foods are available for sale to students during the school day: [C.G.S. Section 10-221p](#)
- State regulation restricting selling and giving candy, coffee, tea, and soft drinks to students: [Section 10-215b-1 of the Regulations of Connecticut State Agencies](#)
- Local educational agency's (LEA) school wellness policy (SWP), as required by USDA: [Section 4 of Public Law 108-265](#) and the [Healthy, Hunger-Free Kids Act of 2010](#) (Final Rule [81 FR 50151](#))

Category 3: Accrual of income from selling foods and beverages

- State regulation restricting accrual of income: [Section 10-215b-23 of the Regulations of Connecticut State Agencies](#)
- USDA's regulation for revenue from nonprogram foods: [7 CFR 210.14 \(f\)](#)
- State statute requiring the right of first refusal for the Connecticut Department of Aging and Disability Services, Bureau of Education and Services for the Blind (ADS-BESB) to place vending machines in public schools: [C.G.S. Section 17a-818](#)

Some laws apply during the school day, while others apply at all times or while the [Child Nutrition Programs](#) are operating. When the laws differ, the stricter requirements apply. Tables 1-3 provide an overview of the laws that apply to competitive foods in non-HFC public schools, when they apply, which foods and beverages they regulate, and whether they apply to selling or giving foods and beverages to students. Table 4 summarizes when the laws apply to different sources of competitive foods in non-HFC public schools.

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Table 1. Requirements for Category 1: Nutrition Standards for Foods and Beverages

Category 1 law	Description	Applies to	When applies
<p>L1 State: C.G.S. Section 10-215f: Certification that food meets nutrition standards (Healthy Food Certification)</p>	<p>Effective July 1, 2006, the state Healthy Food Certification (HFC) statute requires that each BOE for all Connecticut public schools participating in the NSLP must certify annually to the Connecticut State Department of Education (CSDE) whether they will 1) comply with the Connecticut Nutrition Standards (CNS); and 2) allow exemptions for sales of noncompliant foods that meet the exemption criteria of the state HFC statute. Schools that choose the healthy food option (i.e., comply with the CNS) receive additional state funding. Public schools are not required to comply with the CNS but must certify each year whether they will or will not comply with the CNS. Private schools and RCCIs are not eligible for HFC.</p> <p>Food exemptions: Foods that do not comply with the CNS cannot be sold to students on school premises unless the BOE votes to allow exemptions, and: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the foods are not sold from a vending machine or school store. For more information, refer to the CSDE’s Exemptions for Foods and Beverages in Public Schools.</p> <p>For information on the HFC requirements, refer to the CSDE’s Requirements for Competitive Foods in HFC Public Schools and visit the CSDE’s HFC webpage. Comprehensive guidance on the HFC requirements is available in the CSDE’s training program, Complying with HFC.</p>	<p>All public schools that participate in the NSLP.</p> <p><input checked="" type="checkbox"/> Selling <input type="checkbox"/> Giving</p>	<p>HFC Statement must be submitted to the CSDE by July 1 of each year.</p>

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Category 1 law	Description	Applies to	When applies
<p>L2 Federal: Smart Snacks Nutrition Standards (81 FR 50131)</p>	<p>Effective July 1, 2014, this USDA regulation defines the nutrition standards required for competitive foods sold to students in all schools and institutions that participate in the NSLP and SBP. The three Smart Snacks categories include: 1) entrees sold only a la carte; 2) snacks and side dishes; and 3) beverages. To comply with Smart Snacks, foods must meet at least one general standard and the serving (including any accompaniments served with the food, such as butter, cream cheese, salad dressing, and condiments) must meet the specific nutrient standards for the applicable food category. The nutrient standards include limits for calories, total fat, saturated fat, trans fat, sodium, and sugars.</p> <p>To meet one of the three general standards: 1) the food must be WGR; or 2) a food group must be the first ingredient, i.e., fruits, vegetables, dairy, or protein foods; or 3) the food must be a combination food that contains at least ¼ cup of fruit and/or vegetable per serving. For information on the Smart Snacks nutrition standards, refer to the CSDE’s Summary of Smart Snacks Nutrition Standards and Questions and Answers on Smart Snacks and visit the CSDE’s Smart Snacks Nutrition Standards webpage.</p> <p>Note: While Smart Snacks addresses foods and beverages, only the beverage standards apply to HFC public schools. The food standards do not apply to HFC public schools because the state HFC statute (C.G.S Section 10-215f) requires compliance with the stricter CNS, which supersedes the Smart Snacks food standards. For a comparison of the CNS and Smart Snacks, refer to the CSDE’s chart, Comparison of the Connecticut Nutrition Standards and the USDA’s Smart Snacks Nutrition Standards.</p>	<p>All foods and beverages sold to students on school premises separately from reimbursable meals and ASP snacks through the CNPs.</p> <p><input checked="" type="checkbox"/> Selling <input type="checkbox"/> Giving</p>	<p>During the school day.</p>

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Category 1 law	Description	Applies to	When applies
<p>L3 State: C.G.S. Section 10-221q: Sale of beverages</p>	<p>Effective July 1, 2006, the state beverage statute defines five categories of beverages that are allowed for sale to students in Connecticut public schools: 1) milk; 2) 100 percent juice; 3) nondairy milk substitutes; 4) beverages containing only water and juice; and 5) water. Each category must meet specific nutrition requirements. For information on the beverage requirements, refer to the CSDE’s Allowable Beverages in Connecticut Public Schools and visit the CSDE’s Beverage Requirements webpage.</p> <p>The state beverage statute applies to all beverages available for sale to students on school premises at all times, including beverages sold as part of and separately from reimbursable meals and ASP snacks. This statute applies to all Connecticut public schools, even if they do not choose the healthy food option of HFC or do not participate in the CNPs.</p> <p>Note: All beverages available for sale to students in Connecticut public schools must comply with the state beverage statute and any stricter Smart Snacks beverage requirements (refer to “L3 Federal: Smart Snacks Nutrition Standards (81 FR 50131)”). The CSDE’s List of Acceptable Foods and Beverages webpage identifies commercial beverage products that comply with the state beverage statute and Smart Snacks.</p>	<p>All sales of beverages to students on school premises, as part of and separately from reimbursable meals and ASP snacks through the CNPs.</p> <p><input checked="" type="checkbox"/> Selling <input type="checkbox"/> Giving</p>	<p>At all times, except for sales that meet the beverage exemption criteria of the state beverage statute (refer to “Food and Beverage Exemptions” in this document).</p>

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Category 1 law	Description	Applies to	When applies
<p>L4 Federal: School Wellness Policy (Public Law 108-265) and the Healthy, Hunger-Free Kids Act (HHFKA) of 2010</p> <p>Final Rule 81 FR 50151</p>	<p>The Child Nutrition and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Reauthorization Act of 2004 (Public Law 108-265) required all schools and institutions participating in the NSLP and SBP to develop a SWP by the first day of school year 2006-07. Section 204 of the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296) strengthened the SWP law by adding requirements for public participation, transparency, and implementation. These requirements were effective August 29, 2016, under USDA' s final rule, Local School Wellness Policy Implementation Under the HHFKA of 2010.</p> <p>Among other requirements, the LEA's SWP must include nutrition guidelines for all foods and beverages that are available for sale to students, or provided to students free of charge, on school premises during the school day. At a minimum, the LEA's SWP for foods and beverages must meet all applicable federal and state nutrition standards and requirements. For more information on SWPs, visit the CSDE's School Wellness Policies webpage.</p>	<p>Selling and giving foods and beverages to students on school premises, separately from reimbursable meals and ASP snacks through the CNPs.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Selling <input checked="" type="checkbox"/> Giving 	<p>During the school day.</p>

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Table 2. Requirements for Category 2: Restrictions for Selling and Giving Foods and Beverages to Students

Category 2 law	Description	Applies to	When applies
<p>L5 State: C.G.S. Section 10-221p: Nutritious and low-fat foods available for sale</p>	<p>Effective July 1, 2004, this state statute requires that whenever foods are available for purchase by students in Connecticut public schools during the school day, nutritious and low-fat foods must also be available for sale at the same time, either at the location of the food sales or elsewhere in the school. The statute defines “nutritious and low-fat foods” as low-fat dairy foods (such as low-fat cheese and low-fat or nonfat yogurt) and fresh or dried fruit. Low-fat milk is a beverage and cannot be used to meet the statutory requirement for low-fat foods.</p> <p>Entities that sell foods to students during the school day must also sell low-fat dairy foods and fresh or dried fruit unless these foods are available for sale to students elsewhere on school premises at the same time. For sales consisting of preordered foods, the nutritious low-fat foods specified in the statute must be available for sale when students receive the foods, not when students order the foods.</p> <p>This statute does not apply to the ASP, unless it begins before the end of the school day. This statute applies to all Connecticut public schools, even if they do not choose the healthy food option of HFC or do not participate in the CNPs. For more information, refer to the CSDE’s Questions and Answers on Connecticut Statutes for School Foods and Beverages.</p>	<p>All sales of foods to students on school premises during the school day.</p> <p><input checked="" type="checkbox"/> Selling <input type="checkbox"/> Giving</p>	<p>During the school day.</p>

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Category 2 law	Description	Applies to	When applies
<p>L6 State: Section 10-215b-1 of the Regulations of Connecticut State Agencies: Competitive foods (candy, coffee, tea, and soft drinks)</p>	<p>Effective August 25, 1992, this state regulation prohibits selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. This includes selling candy, coffee, tea, and soft drinks to students at events on school premises that meet the exemption criteria of the state HFC statute (C.G.S Section 10-215f) and state beverage statute (C.G.S Section 10-221q).</p> <ul style="list-style-type: none"> • “Candy” includes all types of regular and sugar-free varieties, such as chocolates, chocolate-covered nuts and fruits, candy bars, hard candies, lollipops, caramels, taffy, licorice, jelly candies (e.g., gumdrops, gummies, and jelly beans), and breath mints. • “Coffee” and “tea” include all types, e.g., regular, decaffeinated, herbal, and iced. • “Soft drinks” include all beverages (with or without carbonation) that contain water and/or juice and added sweeteners (including nutritive sweeteners, nonnutritive sweeteners, and sugar alcohols) and may also contain other ingredients such as edible acids, natural or artificial flavors and colors, and added nutrients. Examples of soft drinks include soda (regular and diet), sports drinks (regular, low-calorie, and zero calorie), sweetened beverages (with or without carbonation) that are not 100 percent juice (such as lemonade and fruit punch drinks), and flavored water with added sweeteners. <p>Section 10-215b-1 applies to all schools and institutions that participate in the CNPs, including public schools, private schools, and residential child care institutions (RCCIs). For more information, refer to the CSDE’s Overview of Connecticut Competitive Foods Regulations.</p>	<p>Selling and giving candy, coffee, tea, and soft drinks to students anywhere on school premises while any CNPs are operating.</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Selling <input checked="" type="checkbox"/> Giving 	<p>From 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>

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Table 3. Requirements for Category 3: Accrual of Income from Foods and Beverages

Category 3 law	Description	Applies to	When applies
<p>L7 State: Section 10-215b-23 of the Regulations of Connecticut State Agencies: Accrual of Income</p>	<p>Effective August 25, 1992, this state regulation requires that the income from all foods and beverages sold to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs (including during and after the school day) must accrue to the nonprofit school food service account (NSFSA). This includes the income from sales of foods and beverages to students at events on school premises that meet the exemption criteria of the state HFC statute (C.G.S Section 10-215f) and state beverage statute (C.G.S Section 10-221q).</p> <ul style="list-style-type: none"> • “Income” means gross income. • “NSFSA” means the restricted account in which all the revenue from all food service operations conducted by the school food authority (SFA) principally for the benefit of school children is retained and used only for the operation or improvement of the nonprofit school food service. This account shall include, as appropriate, non-federal funds used to support paid lunches as provided in 7 CFR 210.14(e), and proceeds from nonprogram foods as provided in 7 CFR 210.14(f). <p>Section 10-215b-1 applies to all schools and institutions that participate in the CNPs, including public schools, private schools, and RCCIs. For more information, refer to the CSDE’s Overview of Connecticut Competitive Foods Regulations and CSDE Operational Memorandum No. 1-18: Accrual of Income from Sales of Competitive Foods in Schools.</p>	<p>Accrual of income from all sales of foods and beverages to students anywhere on school premises while any CNPs are operating.</p> <p><input checked="" type="checkbox"/> Selling <input type="checkbox"/> Giving</p>	<p>From 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>

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Category 3 law	Description	Applies to	When applies
<p>L8 Federal: Revenue from Nonprogram Foods (7 CFR 210.14 (f))</p>	<p>Effective July 1, 2011, this USDA regulation requires that all revenue from the sale of nonprogram foods must accrue to the NSFSA. “Nonprogram foods” are foods and beverages purchased using funds from the NSFSA and sold to students (other than reimbursable meals and ASP snacks served through the CNPs) and adults at any time or location on school premises. Nonprogram foods include all foods and beverages sold in schools, adult meals, outside-of-school hours, and catering or vending activities. They also include competitive foods purchased using funds from the NSFSA, such as cafeteria a la carte sales or foods and beverages for vending machines operated by the food service department. For most school food authorities (SFAs), cafeteria a la carte sales account for the majority of nonprogram foods. Another common source is vending machines operated by the NSFSA.</p> <p>This regulation also requires that when school food service labor is used to prepare foods for an outside entity (such as catering), the SFA must ensure that all costs, including labor and any other costs incurred, are covered by the entity being served by the school food service program. For more information, refer to USDA Memo SP 13-2014: School Food Service Account Revenue from the Sale of Nonprogram Foods and USDA Memo SP 20-2016: Nonprofit School Food Service Account Nonprogram Food Revenue Requirements.</p> <p>Note: Nonprogram foods are different from competitive foods. Competitive foods include all foods and beverages available for sale to students on school premises separately from reimbursable meals served through the CNPs, regardless of the funding source that purchased them. Some competitive foods are nonprogram foods because they are purchased using funds from the NSFSA, but many are not. For example, funds from the NSFSA might be used to purchase competitive foods that are sold from vending machines in the cafeteria; however, NSFSA funds are not typically used to purchase competitive foods that are sold from school stores and fundraisers.</p>	<p>All foods and beverages purchased using funds from the NSFSA and sold to students (outside of reimbursable meals and ASP snacks through the CNPs) and adults on school premises.</p> <p><input checked="" type="checkbox"/> Selling <input type="checkbox"/> Giving</p>	<p>At all times.</p>

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Category 3 law	Description	Applies to	When applies
<p>L9 State: C.G.S. Section 17a-818: Food service facilities and vending stands in public buildings controlled by Department of Aging and Disability Services. Permissible uses of vending machine income (formerly C.G.S. Section 10-303)</p>	<p>Effective October 1, 1945, this state statute requires that the Connecticut Department of Aging and Disability Services, Bureau of Education and Services for the Blind (ADS-BESB) has the right of first refusal to place vending machines in public buildings, including schools. A school district must grant a permit to ADS-BESB to operate a vending machine if the school district has determined that a vending machine is desirable in the location. School districts cannot allow another organization to place a vending machine in a school building unless 1) the school district has first offered to grant a permit to ADS-BESB to operate the vending machine; and 2) ADS-BESB has declined the opportunity. This statute does not apply to vending machines that are owned and operated by the school district without outside assistance. For additional guidance, refer to "Placement of Vending Machines (ADS-BESB)" in the "Laws/Regulations" section of the CSDE's Competitive Foods in Schools webpage.</p>	<p>Vending machines operated by outside contractors in public schools</p> <p><input checked="" type="checkbox"/> Selling <input type="checkbox"/> Giving</p>	<p>At all times.</p>

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Allowable Foods and Beverages

The serving of a commercial product or food made from scratch must meet each nutrition standard for the applicable Smart Snacks food category. Smart Snacks applies to the amount of the food as served, including any added accompaniments such as butter, cream cheese, salad dressing, and condiments. Some examples of foods with accompaniments include bagels with cream cheese, muffins with butter, french fries with ketchup, pancakes with syrup, tortilla chips with salsa, and chicken nuggets with dipping sauce.

Allowable foods include commercial products and foods made from scratch that comply with the following Smart Snacks requirements: 1) the food must meet at least one general standard; and 2) the serving with its accompaniments must meet the specific nutrient standards for the applicable food category. For information on the Smart Snacks requirements, refer to the CSDE's [Summary of Smart Snacks Nutrition Standards](#) and visit the CSDE's [Smart Snacks Nutrition Standards](#) webpage.

Beverages must comply with the state beverage statute ([C.G.S. Section 10-221q](#)) and any stricter requirements of the USDA's Smart Snacks nutrition standards ([81 FR 50131](#)). The five categories of allowable beverages include: 1) milk; 2) 100 percent juice; 3) nondairy milk substitutes; 4) beverages containing only water and juice; and 5) water. Each category must meet the specific nutrition requirements of the federal and state beverage standards. For information on these requirements, refer to the CSDE's [Allowable Beverages in Connecticut Public Schools](#) and visit the CSDE's [Beverage Requirements](#) webpage.

Documenting Compliance

Districts must maintain compliance documentation on file for the CSDE's Administrative Review of the school nutrition programs. The CSDE's [List of Acceptable Foods and Beverages](#) identifies commercial food products that comply with Smart Snacks and beverages that comply with the state beverage statute and Smart Snacks. Schools may also use the Alliance for a Healthier Generation's [Smart Snacks Product Calculator](#) to assess commercial food products for Smart Snacks compliance. This tool cannot be used to identify allowable beverages because some requirements of the state beverage statute are stricter and supersede Smart Snacks.

The required documentation for foods made from scratch includes: 1) a standardized recipe that indicates the calories, fat, saturated fat, trans fat, sodium, and sugars per serving; and 2) a comparison of the standardized recipe's nutrition information per serving (including its accompaniments) with the required nutrition standards for the applicable Smart Snacks food category, showing that the serving complies. For additional guidance, refer to the CSDE's resources, [Guidance on Evaluating Recipes for Compliance with the Connecticut Nutrition Standards](#) and [How to Evaluate Foods Made from Scratch for Compliance with the Connecticut Nutrition Standards](#), and visit the "Foods Made from Scratch" section of the CSDE's CNS webpage. **Note:** While these resources are intended for the CNS, the steps for evaluating standardized recipes also apply to Smart Snacks.

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Beverage Exemptions

Beverages that do not comply with the state beverage statute cannot be sold to students on school premises unless the BOE has voted to allow exemptions, and: 1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; 2) the sale is at the location of the event; and 3) the beverages are not sold from a vending machine or school store.

- An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. Events involve a gathering of people in a social context, such as sports competitions, awards banquets, school concerts, and theatrical productions. For example, soccer games, school plays, and school debates are events, but soccer practices, play rehearsals, and debate team meetings are not.
- “Location” means where the event is being held. For example, lemonade may be sold on the side of the soccer field during a soccer game but cannot be sold in the school cafeteria while a game is played on the soccer field.

The vote to allow beverage exemptions is **not** part of the annual HFC Statement (Addendum to Agreement for Child Nutrition Programs (ED-099)) that public school sponsors of the NSLP must submit to the CSDE by July 1 of each year. If the district chooses to allow beverage exemptions, the BOE must vote separately (refer to the CSDE’s [Exemptions for Foods and Beverages in Public Schools](#)).

If the BOE has voted to allow beverage exemptions, noncompliant beverages could be sold to students at the location of an event that occurs after the school day or on the weekend. The example below shows how the beverage exemption applies.

- **Example:** The school day ends at 3:00 p.m. Beverages that do not comply with the state beverage statute could be sold to students from a fundraiser located at an event on school premises that occurs anytime between 3:31 p.m. through 11:59 p.m. during the school week, or anytime on Saturday or Sunday. If the fundraiser occurs while any CNPs are operating, Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies require additional restrictions for 1) selling and giving coffee, tea, and soft drinks to students; and 2) the accrual of income from all foods and beverages sold to students anywhere on school premises. For more information, refer to [table 2](#).

Beverages that do not comply with the state beverage statute can never be sold to students from vending machines or school stores. The state beverage statute specifically prohibits beverage exemptions for vending machines and school stores.

Sources of Foods and Beverages

Table 4 summarizes when the federal and state requirements apply to different sources of competitive foods in non-HFC public schools. The laws that govern nutrition standards are shaded yellow. The laws that govern sales to students are shaded green.

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Table 4. Do the federal and state requirements apply?

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
S1: Sales to adults (non-students) on school premises, such as school staff, parents, and other adults	No, applies only to sales to students. ¹	No, applies only to sales to students.	No, applies only to sales to students.	No, applies only to sales to students. ¹	No, applies only to sales to students. ¹	No, applies only to sales to students. ¹

¹ Connecticut's statutes and regulations apply only to students. Foods and beverages may be sold to adults at any time, except for adults who are "students" in adult education programs (refer to "[S2: Adult education programs \(operated by the BOE\) on school premises](#)").

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Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S2: Adult education programs (operated by the BOE) on school premises that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times if the beverage sales are under the control of the BOE.^{1, 2}</p>	<p>No, applies only to sales to students.</p>	<p>No, applies only to sales to students.</p>	<p>No, unless the adult education program sells foods to students on school premises <i>before</i> the end of the school day, and the sales are under the control of the BOE.^{1, 2} For example, if school ends at 3:00 p.m. and an adult education program sells foods to students from 3:00 to 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold in the adult education program or elsewhere on school premises at the same time.</p>	<p>Yes, if any CNPs are operating.</p> <p>Candy: Section 10-215b-1 prohibits selling and giving candy to students in adult education programs on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Adult education programs on school premises can never sell coffee, tea, and soft drinks to students, unless the sales are <i>not</i> under the control of the BOE.¹ In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students in adult education programs on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 4:30 to 5:30 p.m., the NSFSFA must receive the adult education program's income from all foods and beverages sold to students anywhere on school premises from 4:00 to 6:00 p.m.</p>

¹ Connecticut's statutes and regulations do not address an age limit for students or distinguish between regular and adult education programs; they apply to all "students" in adult education programs on school premises under the BOE's jurisdiction. For more information, refer to the CSDE's memo, [Requirements for Selling Foods and Beverages in Adult Education Programs](#).

² Connecticut's statutes and regulations do not apply if the district rents, leases, or borrows building space for an adult education program, and the building owner maintains any sources of food and beverage sales, such as vending machines or food kiosks.

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S3: Afterschool programs and activities (such as enrichment programs, extracurricular classes, tutoring sessions, and clubs) on school premises that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times. Afterschool programs and activities are not eligible for beverage exemptions because they do not meet the definition of an event (refer to “S11: Events”).</p>	<p>No, unless the afterschool program or activity sells foods to students on school premises <i>before</i> the end of the school day.² For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>No, unless the afterschool program or activity sells beverages to students on school premises <i>before</i> the end of the school day.² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>No, unless the afterschool program or activity sells foods to students on school premises <i>before</i> the end of the school day. For example, if school ends at 3:00 p.m. and an afterschool program sells foods to students before 3:31 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the location of the afterschool program or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Afterschool programs and activities can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 p.m. to 4:30 p.m. the NSFS must receive the afterschool program’s income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 4:00 p.m. to 5:00 p.m.</p>

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
S4: Afterschool Snack Program (ASP) ¹	Yes, applies at all times. The ASP is ineligible for beverage exemptions because it is not an event (refer to “ S11: Events ”).	No, unless the ASP starts <i>before</i> the end of the school day or sells additional foods to student separately from reimbursable snacks <i>before</i> the end of the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.	No, unless the ASP starts <i>before</i> the end of the school day or sells additional beverages to student separately from reimbursable snacks <i>before</i> the end of the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.	No, unless the ASP starts <i>before</i> the end of the school day. For example, if school ends at 3:00 p.m. and the ASP provides snacks to students from 3:00 to 3:30 p.m., low-fat dairy products and fresh or dried fruit must also be sold at the location of the ASP or elsewhere on school premises at the same time.	Yes, if the ASP is operating. Candy: Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the ASP. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. The ASP can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the ASP; either from the ASP or any other sources on school premises during this time.	Yes. Income from the ASP already accrues to the NSFSA. The NSFSA must also receive the income from all other sales of foods and beverages to students on school premises from 30 minutes before up through 30 minutes after the ASP.

¹ ASP snacks must comply with the ASP meal patterns (refer to the CSDE’s [ASP Meal Pattern for Grades K-12](#) and [ASP Meal Pattern for Preschoolers](#)).

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S5: Cafeteria a la carte sales i.e., foods and beverages sold separately from reimbursable meals in the NSLP and SBP (and any other CNPs operating in the cafeteria), including sales of tickets that students can exchange for a la carte foods and beverages ¹</p>	<p>Yes, applies at all times. Cafeteria a la carte sales are ineligible for beverage exemptions because they are not an event (refer to “S11: Events”).</p>	<p>Yes, applies to a la carte sales on school premises during the school day.</p>	<p>Yes, applies to a la carte sales on school premises during the school day.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold in the cafeteria or elsewhere on school premises at the same time.</p>	<p>Yes, if the NSLP and SBP are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the NSLP and SBP, and any other CNPs operating in the cafeteria, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. The cafeteria can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the NSLP and SBP, and any other CNPs operating in the cafeteria, including during and after the school day.</p>	<p>Yes. Income from the NSLP and SBP already accrues to the NSFSA. The NSFSA must also receive the income (including ticket sales) from all other sales of foods and beverages to students anywhere on school premises from 30 minutes before up through 30 minutes after the NSLP and SBP (and any other CNPs operating in the cafeteria), including during and after the school day. For example, if the SBP operates from 7:00 a.m. to 8:00 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 6:30 a.m. to 8:30 a.m. and 11:00 a.m. to 1:30 p.m.</p>

¹ For guidance on meeting the federal and state requirements for culinary programs, refer to the CSDE’s [Requirements for Cafeteria A La Carte Foods and Beverages in Non-HFC Public Schools](#).

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S6: Classroom parties that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages ^{1,2}</p>	<p>Yes, applies at all times. Classroom parties during the school day are not eligible for beverage exemptions because they do not meet the definition of an event (refer to “S11: Events”). ³</p>	<p>No, unless students <i>purchase</i> the foods from the classroom party during the school day. ⁴</p>	<p>No, unless students <i>purchase</i> the beverages from the classroom party during the school day. ⁴</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold during the classroom party or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Classroom parties <i>during</i> the school day can never sell coffee, tea, and soft drinks to students on school premises. Classroom parties <i>after</i> the school day could sell these items if the sales meet the exemption criteria (refer to “Beverage Exemptions” in this document). However, Section 10-215b-1 prohibits giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., the NSFS must receive the party's income (including fees and ticket sales) from all foods and beverages sold to students on school premises from 11:00 a.m. to 1:30 p.m.</p>

¹ The CSDE strongly encourages schools to promote consistent health messages to students by providing healthy choices for celebrations at school (refer to the CSDE's [Healthy Celebrations](#)).

² The LEA's SWP may have additional restrictions for foods and beverages at classroom parties (refer to [FS3: SWP](#)).

³ School celebrations after the school day or on the weekend are events; they are eligible for beverage exemptions if the BOE has voted to allow exemptions (refer to **“Beverage Exemptions”** and **“S11: Events”** in this document).

⁴ Smart Snacks does not apply to classroom parties when students, parents, or teachers supply foods and beverages or provide funds to purchase foods and beverages.

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S7: Classroom parties that give foods and beverages to students i.e., money or its equivalent (such as coupons, tickets, and tokens) is not exchanged for foods and beverages ^{1,2}</p>	No, applies only to <i>sales</i> to students.	No, applies only to <i>sales</i> to students.	No, applies only to <i>sales</i> to students.	No, applies only to <i>sales</i> to students.	Yes, if CNPs are operating. Classroom parties cannot give candy, coffee, tea, and soft drinks to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:30 a.m. to 8:30 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., classroom parties cannot give candy, coffee, tea, and soft drinks to students from 7:00 a.m. to 9:00 a.m. or 11:00 a.m. to 1:30 p.m.	No. Not applicable when income is not generated.

¹ The CSDE strongly encourages schools to promote consistent health messages to students by providing healthy choices for celebrations at school (refer to the CSDE's [Healthy Celebrations](#)).

² The LEA's SWP may have additional restrictions for foods and beverages at classroom parties (refer to [FS3: SWP](#)).

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
S8: Clubs and organizations that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages	Yes, applies at all times. Clubs and organizations are not eligible for beverage exemptions because they do not meet the definition of an event (refer to “S11: Events”). ¹	Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.	Yes, applies to all beverages sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.	Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the club/organization, or elsewhere on school premises at the same time.	Yes, if CNPs are operating. Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Clubs and organizations can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.	Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 to 4:30 p.m. and a club sells foods and beverages to students during the same time, the NSFSA must receive the club’s income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.

¹ Clubs and organizations could sell noncompliant beverages at an event that meets the exemption criteria of the state beverage statute. For more information, refer to **“S11: Events”** in this document.

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S9: Concession stands that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, unless the BOE has voted to allow beverage exemptions and the sales meet the exemption criteria (refer to “Beverage Exemptions” and “S11: Events” in this document).</p>	<p>Yes, if foods are sold to students on school premises <i>before</i> the end of the school day.² For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, if beverages are sold to students on school premises <i>before</i> the end of the school day.² For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, if foods are sold to students on school premises <i>before</i> the end of the school day Low-fat dairy products and fresh or dried fruit must also be sold to students from the concession stand or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Concession stands cannot sell coffee, tea, and soft drinks to students on school premises unless they are located at an event that meets the exemption criteria.¹ However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 4:30 to 5:30 p.m., a concession stand located at an event cannot sell or give coffee, tea, and soft drinks to students anywhere on school premises from 4:00 to 6:00 p.m.</p>	<p>Yes, if sales occur on school premises (including sales at exempted events after the school day or on the weekend) from 30 minutes before up through 30 minutes after any CNPs. For example, if the ASP operates from 3:30 to 4:30 p.m. and a concession stand sells foods and beverages to students during the same time, the NSFSA must receive the concession stand’s income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S10: Culinary programs that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times. Culinary programs are not eligible for beverage exemptions because they do not meet the definition of an event (refer to “S11: Events”).¹</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, if foods are sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the culinary program or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Culinary programs can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., the NSFSA must receive the culinary program’s income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:30 p.m.</p>

¹ Culinary programs could prepare noncompliant beverages to sell at an event that meets the exemption criteria of the state beverage statute (refer to “**S11: Events**” in this document). For guidance on meeting the federal and state requirements for culinary programs, refer to the CSDE’s [Requirements for Foods and Beverages in Culinary Programs in Non-HFC Public Schools](#).

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S11: Events that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages ¹</p>	<p>Yes, unless the BOE has voted to allow beverage exemptions and the sales meet the exemption criteria (refer to “Beverage Exemptions” in this document).</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, if foods are sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold at the event or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Events cannot sell coffee, tea, and soft drinks to students on school premises unless they meet the exemption criteria. ¹ However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 4:30 to 5:30 p.m., an event that occurs during the same time cannot sell or give coffee, tea, and soft drinks to students anywhere on school premises from 4:00 to 6:00 p.m.</p>	<p>Yes, if sales occur on school premises (including sales at exempted events after the school day or on the weekend) from 30 minutes before up through 30 minutes after any CNPs. For example, if the ASP operates from 3:30 to 4:30 p.m., the NSFSA must receive the event’s income (including fees and ticket sales) from all foods and beverages sold at the event from 3:00 p.m. to 5:00 p.m.</p>

¹ An “event” is an occurrence that involves more than just a regularly scheduled practice, meeting, or extracurricular activity. For example, soccer games, school plays, and school debates are events, but soccer practices, play rehearsals, and debate team meetings are not.

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S12: Family and consumer sciences classes (and other classes) that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times. Classes are not eligible for beverage exemptions because they do not meet the definition of an event (refer to "S11: Events").¹</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold by the family and consumer sciences class or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating..</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Family and consumer sciences classes can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., the NSFSA must receive the family and consumer sciences class's income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:30 p.m.</p>

¹ Family and consumer sciences classes could prepare noncompliant foods and beverages to sell at an event that meets the exemption criteria of the state beverage statute (refer to "**S11: Events**" in this document).

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S13: Family resource centers that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times. Family resource centers are not eligible for beverage exemptions because they do not meet the definition of an event (refer to “S11: Events”).¹</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, if the family resource center sells foods to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the family and resource center or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Family resource centers can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the SBP operates from 7:30 a.m. to 8:30 a.m., the NSFSA must receive the family resource center’s income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 7:00 a.m. to 9:00 a.m.</p>

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S14: Food rewards using coupons, tickets, tokens, or similar items that students exchange for foods and beverages (i.e., sales) ^{1,2}</p>	<p>Yes, applies at all times. Rewards are not eligible for beverage exemptions because they do not meet the definition of an event (refer to “S11: Events”).</p>	<p>No, applies only when students <i>purchase</i> coupons, tickets, tokens, or similar items that can be exchanged for foods and beverages</p>	<p>No, but superseded by the stricter requirements of the CNS and HFC.</p>	<p>Yes, if students can exchange coupons or similar items for foods on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be available when the students can exchange the coupons, either at the same location or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Section 10-215b-1 prohibits selling and giving candy to students (including exchanging tickets, tokens, and similar items for candy) anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Students cannot exchange coupons, tickets, tokens, and similar items for coffee, tea, and soft drinks on school premises unless the exchange occurs at an event that meets the exemption criteria (refer to “Beverage Exemptions” in this document). However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., students cannot receive or exchange coupons for candy, coffee, tea, and soft drinks anywhere on school premises from 11:00 a.m. to 1:30 p.m.</p>	<p>No. Not applicable when income is not generated.</p>

¹ The CSDE strongly discourages the use of food rewards for academic performance or good behavior. This practice has many negative consequences that go far beyond the short-term benefits of good student behavior or performance. LEAs are encouraged to develop healthy alternatives (refer to the “[Food Rewards](#)” section of the CSDE’s Program Guidance for School Nutrition Programs webpage).

² Under Connecticut’s statutes and competitive foods regulations, giving students coupons or similar items that can be exchanged for foods and beverages is the same as selling foods and beverages to students, regardless of when or where students can exchange them.

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S15: Food rewards given to students without exchanging coupons, tickets, tokens, or similar items for foods and beverages ¹	No, applies only when students <i>purchase</i> coupons, tickets, tokens, or similar items that can be exchanged for foods and beverages	No, applies only when students <i>purchase</i> coupons, tickets, tokens, or similar items that can be exchanged for foods and beverages	No, applies only when students <i>purchase</i> coupons, tickets, tokens, or similar items that can be exchanged for foods and beverages	No ²	Yes, if CNPs are operating. ⁴ Candy, coffee, tea, and soft drinks cannot be given to students from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the SBP operates from 7:30 a.m. to 8:30 a.m. and the NSLP operates from 11:30 a.m. to 1:00 p.m., candy, coffee, tea, and soft drinks cannot be given to students from 7:00 a.m. to 9:00 a.m. or 11:00 a.m. to 1:30 p.m.	No. Not applicable when income is not generated.

¹ The CSDE strongly discourages the use of food rewards for academic performance or good behavior. This practice has many negative consequences that go far beyond the short-term benefits of good student behavior or performance. LEAs are encouraged to develop healthy alternatives (refer to the “[Food Rewards](#)” section of the CSDE’s Program Guidance for School Nutrition Programs webpage).

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S16: Fundraisers during the school day (conducted by school groups or non-school groups) that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages. ^{1,2}</p>	<p>Yes, applies at all times. Fundraisers during the school day are not eligible for beverage exemptions because they do not meet the definition of an event (refer to “S11: Events”).</p>	<p>Yes, applies to all foods sold to students on school premises during the school day.</p>	<p>Yes, applies to all beverage sold to students on school premises during the school day.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. ⁴ Low-fat dairy products and fresh or dried fruit must be sold at the location of the fundraiser or elsewhere on school premises at the same time. If fundraiser foods are pre-ordered and distributed to students on school premises during the school day, the nutritious low-fat foods specified in the statute must be available for purchase when students pick up the fundraiser foods.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Fundraisers during the school day can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving and distributing coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., the NSFSA must receive the fundraiser’s income (including fees, ticket sales, and donations) from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:30 p.m.</p>

¹ Fundraisers” are any activities during which money or its equivalent (such as tickets, coupons, tokens, and similar items) is exchanged for the purchase of a product in support of the school or school-related activities; including any activities that suggest a student donation in exchange for foods and beverages. For guidance on meeting the federal and state requirements for fundraisers, refer to the CSDE’s [Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools](#).

² The CSDE strongly encourages schools to promote consistent health messages to students by fundraising with nonfood items or healthy foods (refer to the CSDE’s [Healthy Fundraising](#)).

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Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S17: Fundraisers at an event occurring after the school day or on the weekend (conducted by school groups or non-school groups) that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages. ^{1, 2}</p>	<p>Yes, unless the BOE has voted to allow beverage exemptions and the sales meet the exemption criteria (refer to “Beverage Exemptions” and “S11: Events” in this document).</p>	<p>No, applies only to sales during the school day</p>	<p>No, applies only to sales during the school day.</p>	<p>No, applies only to food sales to students on school premises during the school day.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Fundraisers cannot sell or give candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day or on the weekend.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Fundraisers cannot sell coffee, tea, and soft drinks to students on school premises unless they are located at an event that meets the exemption criteria (refer to “Beverage Exemptions” in this document). However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 4:30 to 5:30 p.m., a fundraiser at an exempted events cannot sell or give coffee, tea, and soft drinks to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>	<p>Yes, if sales occur on school premises (including sales at exempted events after the school day or on the weekend) from 30 minutes before up through 30 minutes after any CNPs. For example, if the ASP operates from 3:30 to 4:30 p.m. and a fundraiser sells foods and beverages to students at an exempted event on school premises during the same time, the NSFSA must receive the fundraiser’s income from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>

¹ Fundraisers” are any activities during which money or its equivalent (such as tickets, coupons, tokens, and similar items) is exchanged for the purchase of a product in support of the school or school-related activities; including any activities that suggest a student donation in exchange for foods and beverages. For guidance on meeting the federal and state requirements for fundraisers, refer to the CSDE’s [Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools](#).

² The CSDE strongly encourages schools to promote consistent health messages to students by fundraising with nonfood items or healthy foods (refer to the CSDE’s [Healthy Fundraising](#)).

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Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S18: Meetings and programs that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times. Meetings and programs are not eligible for beverage exemptions because they do not meet the definition of an event (refer to S11: Events).</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold at the location of the meeting/program or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Meetings and programs can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 to 4:30 p.m. and a meeting occurs during this time, the NSFSA must receive the meeting's income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S19: Recipient schools under interschool agreements that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages ¹</p>	<p>Yes, unless the BOE has voted to allow beverage exemptions and the sales meet the exemption criteria (refer to “Beverage Exemptions” and “S11: Events” in this document).</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, if foods are sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the same location or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. However, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Recipient schools cannot sell coffee, tea, and soft drinks to students on school premises, except for exempted events. ² However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the event occurs while the At-risk Afterschool Meals program operates from 4:30 to 5:30 p.m., coffee, tea, and soft drinks cannot be sold or given to students anywhere on school premises from 4:00 to 6:00 p.m.</p>	<p>Yes, if sales occur on school premises (including sales at exempted events after the school day or on the weekend) from 30 minutes before up through 30 minutes after any CNPs. For example, if the ASP operates from 3:30 to 4:30 p.m., the NSFSA must receive the income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>

¹ A school (recipient site) must have an interschool agreement when it receives reimbursable USDA meals or snacks from a BOE (vendor). For more information, refer to the CSDE’s interschool agreement forms on the CSDE’s [Forms for School Nutrition Programs](#) webpage.

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<p>S20: School stores, kiosks, and other school-based enterprises on school premises that sell foods and beverages to students on school premises, or sell tickets that can be exchanged for foods and beverages ¹</p>	<p>Yes, applies at all times. The state beverage statute specifically prohibits beverage exemptions for school stores.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, if school stores sell foods to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the school stores or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. School stores can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving and distributing candy, coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., the NSFS must receive the school store's income (including ticket sales) from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:30 p.m.</p>

¹ For guidance on meeting the federal and state requirements for school stores, refer to the CSDE's [Requirements for Foods and Beverages in School Stores in Non-HFC Public Schools](#).

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<p>S21: Seamless Summer Option (SSO) of the NSLP by the operated by the BOE on school premises</p>	<p>Yes, applies at all times. The SSO is ineligible for beverage exemptions because it is not an event (refer to “S11: Events”).</p>	<p>No, unless the site is also operating a summer school program and serving NSLP meals on school premises</p>	<p>No, unless the site is also operating a summer school program and serving NSLP meals on school premises</p>	<p>No, unless the SSO operates on school premises during a summer school program operated by the BOE or school governing authority, and the SSO sells foods to students separately from reimbursable meals during the school day.</p>	<p>Yes, if the SSO is operating.</p> <p>Candy: Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SSO.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. The SSO can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SSO; either from the SSO or any other sources on school premises during this time.</p>	<p>Yes. Income from the SSO already accrues to the NSFSA. The NSFSA must also receive the income from all other sales of foods and beverages to students on school premises from 30 minutes before up through 30 minutes after the SSO. For example, if the SSO serves breakfast from 7:00 a.m. to 7:30 a.m. and lunch from 11:30 a.m. to 1:00 p.m., the NSFSA must receive the income from all foods and beverages sold to students outside of the SSO from 6:30 a.m. to 8:00 a.m. or 11:00 a.m. to 1:30 p.m.</p>

¹ The SSO follows the meal patterns for the NSLP and SBP (refer to the CSDE’s [Meal Patterns for Grades K-12 in School Nutrition Programs](#) webpage).

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S22: Special Milk Program (SMP) ¹	Yes, applies at all times. The SMP is ineligible for beverage exemptions because it is not an event (refer to “ S11: Events ”).	No, unless the SMP operates in a school that also participates in the NSLP and SBP.	No, unless the SMP operates in a school that also participates in the NSLP and SBP.	No, applies only when foods are sold to students.	<p>Yes, if the SMP is operating.</p> <p>Candy: Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SMP.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. The ASP can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SMP; either from the SMP or any other sources on school premises during this time.</p>	Yes. Income from the SMP already accrues to the NSFSA. The NSFSA must also receive the income from all other sales of foods and beverages to students on school premises from 30 minutes before up through 30 minutes after the SMP. For example, if the SMP operates from 11:30 a.m. to 12:30 p.m., the NSFSA must receive the income from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:00 p.m.

¹ If children have access to the NSLP and SBP, schools are ineligible to participate in the SMP. For information on the SMP, visit the CSDE’s [SMP](#) webpages.

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<p>S23: Sports competition (such as games, matches, and tournaments) that sell foods and beverages to students on school premises or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, unless the BOE has voted to allow beverage exemptions and the sales meet the exemption criteria (refer to “Beverage Exemptions” and “S11: Events” in this document). Sports competitions are events.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, if foods are sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the same location or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Sports competitions (events) cannot sell coffee, tea, and soft drinks to students on school premises unless they meet the exemption criteria (refer to “Beverage Exemptions” in this document). However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 to 4:30 p.m., sports competitions cannot sell or give coffee, tea, and soft drinks to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>	<p>Yes, if sales occur on school premises (including sales at exempted events after the school day or on the weekend) from 30 minutes before up through 30 minutes after any CNPs. For example, if the ASP operates from 3:30 to 4:30 p.m., the NSFSA must receive the sports competition’s income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>

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<p>S24: Sports programs on school premises that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times. Sports programs are not eligible for beverage exemptions because they do not meet the definition of an event (refer to “S11: Events”).</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, if foods are sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the same location or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Sports programs can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the At-risk Afterschool Meals program operates from 4:30 to 5:30 p.m., the NSFSM must receive the sports program’s income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 4:00 to 6:00 p.m.</p>

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
S25: Summer Food Service Program (SFSP) operated by the BOE on school premises	Yes, applies at all times. The SFSP is ineligible for beverage exemptions because it is not an event (refer to “ S11: Events ”).	No, unless the SFSP operates at a school during the school day during which summer school NSLP meals are being served on school premises, and the SFSP sells foods to students separately from reimbursable SFSP meals and snacks.	No, unless the SFSP operates at a school during the school day during which summer school NSLP meals are being served on school premises, and the SFSP sells beverages to students separately from reimbursable SFSP meals and snacks.	No, unless the SFSP is part of the school day and sells foods to students separately from reimbursable meals during the school day. A SFSP is not part of the school day unless it operates on school premises during a summer school program operated by the BOE (refer to “ S26: Summer school programs ”).	Yes, if the SFSP is operating. Candy: Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SFSP. Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. The SFSP can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of the SFSP; either from the SFSP or any other sources on school premises during this time	Yes. Income from the SFSP already accrues to the NSFSA. The NSFSA must also receive the income from all other sales of foods and beverages to students on school premises from 30 minutes before up through 30 minutes after the SFSP. For example, if the SFSP serves breakfast from 7:00 a.m. to 7:30 a.m. and lunch from 11:30 a.m. to 1:00 p.m., the NSFSA must receive the income from all foods and beverages sold to students outside of the SFSP from 6:30 a.m. to 8:00 a.m. or 11:00 a.m. to 1:30 p.m.

¹ SFSP meals and snacks must comply with the SFSP meal patterns (refer to the CSDE’s [SFSP Meal Patterns](#)).

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S26: Summer school programs (e.g., enrichment or exploratory) operated by the BOE that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times. Summer school programs operated by the BOE are part of the regular school day. They are ineligible for beverage exemptions because it is not an event (refer to S11: Events”).</p>	<p>Yes, applies to all foods sold to students on school premises during the summer school day. For example, if summer school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the summer school day. ² For example, if summer school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, applies to all foods sold to students on school premises during the summer school day. Low-fat dairy products and fresh or dried fruit must also be sold to students from the summer school program or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Summer school programs can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the SSO operates from 12:00 p.m. to 1:30 p.m., the NSFSA must receive the summer school program’s income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 11:30 a.m. to 2:00 p.m.</p>

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S27: Vending machines on school premises that sell foods and beverages to students on school premises (including tokens that students can exchange for foods and beverages in vending machines ¹⁾</p>	<p>Yes, applies at all times. The state beverage statute specifically prohibits exemptions for vending machines.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold from the vending machine or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. Vending machines must be turned off during this time.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Vending machines can never sell coffee, tea, and soft drinks to students on school premises. In addition, Section 10-215b-1 prohibits giving and distributing coffee, tea, and soft drinks to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., the NSFSA must receive the vending machine's income (including fees and token sales) from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:30 p.m.</p>

¹ For guidance on meeting the federal and state requirements for vending machines, refer to the CSDE's [Requirements for Foods and Beverages in Vending Machines in Non-HFC Public Schools](#).

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Source of foods and beverages	Beverages (C.G.S. Section 10-221q)	USDA Smart Snacks food standards (81 FR 50131)	USDA Smart Snacks beverage standards (81 FR 50131)	Nutritious and low-fat foods (C.G.S. Section 10-221p)	State Regulations: Candy, coffee, tea, and soft drinks (Section 10-215b-1)	State Regulations: Accrual of income (Section 10-215b-23)
<p>S28: Vendors (such as food service management companies (FSMCs), food trucks, caterers, online and mobile food delivery companies, and other outside entities) that sell foods and beverages to students on school premises, collect a fee to cover the cost of foods and beverages provided to students, or sell tickets that can be exchanged for foods and beverages</p>	<p>Yes, applies at all times. Vendors are not eligible for beverage exemptions because they do not meet the definition of an event (refer to “S11: Events”).¹</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all foods sold to students through 3:30 p.m.</p>	<p>Yes, applies to all beverages sold to students on school premises during the school day. For example, if school ends at 3:00 p.m., Smart Snacks applies to all beverages sold to students through 3:30 p.m.</p>	<p>Yes, applies to all foods sold to students on school premises during the school day. Low-fat dairy products and fresh or dried fruit must be sold from the vending machine or elsewhere on school premises at the same time.</p>	<p>Yes, if CNPs are operating.</p> <p>Candy: Smart Snacks already prohibits selling candy to students on school premises during the school day. In addition, Section 10-215b-1 prohibits selling and giving candy to students anywhere on school premises from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day.</p> <p>Coffee, tea, and soft drinks: The state beverage statute supersedes Section 10-215b-1. Vendors cannot sell coffee, tea, and soft drinks to students on school premises unless they are located at an event that meets the exemption criteria.¹ However, Section 10-215b-1 prohibits selling and giving coffee, tea, and soft drinks to students anywhere on school premises (including exempted events) from 30 minutes before up through 30 minutes after the operation of any CNPs, including during and after the school day. For example, if the ASP operates from 3:30 to 4:30 p.m., vendors cannot sell or give coffee, tea, and soft drinks to students anywhere on school premises from 3:00 p.m. to 5:00 p.m.</p>	<p>Yes, if sales occur on school premises from 30 minutes before up through 30 minutes after any CNPs, including during and after the school day. For example, if the NSLP operates from 11:30 a.m. to 1:00 p.m., the NSFSA must receive the vendors’ income (including fees and ticket sales) from all foods and beverages sold to students anywhere on school premises from 11:00 a.m. to 1:30 p.m.</p>

¹ Vendors could sell noncompliant beverages at an event that meets the exemption criteria of the state beverage statute (refer to **“S11: Events”** in this document).

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Glossary

The definitions below apply to the requirements for competitive foods in schools.

Child Nutrition Programs (CNPs): The federally funded child nutrition programs administered by the USDA, including the [National School Lunch Program \(NSLP\)](#), [School Breakfast Program \(SBP\)](#), [Afterschool Snack Program \(ASP\)](#) of the NSLP, [Seamless Summer Option \(SSO\)](#) of the NSLP, [Special Milk Program \(SMP\)](#), [Fresh Fruit and Vegetable Program \(FFVP\)](#), [Child and Adult Care Food Program \(CACFP\)](#) [At-risk Afterschool Meals](#) operated in schools, and [Summer Food Service Program \(SFSP\)](#) operated in schools.

Competitive foods: All foods and beverages available for sale to students on school premises, separately from reimbursable meals and snacks served through the CNPs. Under Section 10-215b-1 of the Regulations of Connecticut State Agencies, competitive foods also include candy, coffee, tea, and soft drinks that are given to students on school premises while any CNPs are operating, including during and after the school day.

Giving: Providing foods and beverages free of any charge, contribution, or suggested donations; and without the exchange of tickets, coupons, tokens, and similar items to obtain foods and beverages.

Sales: The exchange of a determined amount of money or its equivalent (such as coupons, tickets, tokens, and similar items) for foods and beverages. Sales also include programs and activities that charge a fee that includes the cost of foods and beverages provided to students, and activities that suggest a student donation in exchange for foods and beverages. Under Connecticut's statutes and regulations for competitive foods, sales include coupons and similar items that are given to students (such as food rewards) and can be exchanged for foods and beverages. However, the USDA's Smart Snacks nutrition standards do not apply when coupons and similar items are given to students.

School day: The period from the midnight before to 30 minutes after the end of the official school day. For example, if school ends at 3:00 p.m., the school day is midnight to 3:30 p.m. A summer school program operated by the board of education or school governing authority (BOE) is part of the regular school day.

School premises: All areas of the property under the jurisdiction of the local or regional board of education, the regional vocational-technical school system (Connecticut Technical Education and Career System (CTECS)), or the governing authority district or school.

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Resources

A Guide to Smart Snacks in School (USDA):

<https://www.fns.usda.gov/tn/guide-smart-snacks-school>

Allowable Beverages in Connecticut Public Schools (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/compfoods/allowable_beverages_public_schools.pdf

Beverage Requirements (CSDE webpage):

<https://portal.ct.gov/sde/nutrition/beverage-requirements>

C.G.S. Section 10-221p: Boards to make available for purchase nutritious and low-fat foods:

https://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-221p

C.G.S. Section 10-221q: Sale of beverages:

https://www.cga.ct.gov/current/pub/chap_170.htm#sec_10-221q

Competitive Foods in Schools (CSDE webpage)

<https://portal.ct.gov/sde/nutrition/competitive-foods>

Exemptions for Foods and Beverages in Public Schools (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/hfc/food_beverage_exemptions_public_schools.pdf

Final Rule: National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the HHFKA of 2010 (81 FR 50131).

<https://www.fns.usda.gov/school-meals/fr-072916d>

Guidance on Evaluating Recipes for Compliance with the Connecticut Nutrition Standards (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/hfc/evaluating_recipes_cns_compliance.pdf

Healthy Fundraising (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/resources/healthy_fundraising.pdf

List of Acceptable Foods and Beverages (CSDE webpage):

<https://portal.ct.gov/sde/nutrition/list-of-acceptable-foods-and-beverages>

Non-HFC Public Schools (CSDE's Competitive Foods in Schools webpage):

https://portal.ct.gov/SDE/nutrition/competitive-foods/documents#NonHFC_Public_Schools

Overview of Connecticut Competitive Foods Regulations (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/compfoods/overview_ct_competitive_foods_regulations.pdf

Overview of Federal and State Laws for Competitive Foods in Connecticut Public Schools, Private Schools, and Residential Child Care Institutions (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/compfoods/overview_federal_state_laws_competitive_foods.pdf

Questions and Answers on Connecticut Statutes for School Foods and Beverages (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/hfc/questions_answers_connecticut_statutes_school_foods_beverages.pdf

Requirements for Competitive Foods in Non-HFC Public Schools (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/hfc/requirements_competitive_foods_nonhfc.pdf

Requirements for Food and Beverage Fundraisers in Non-HFC Public Schools (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/hfc/fundraiser_requirements_nonhfc.pdf

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

Requirements for Foods and Beverages in Culinary Programs in Non-HFC Public Schools (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/hfc/culinary_programs_requirements_nonhfc.pdf

Requirements for Foods and Beverages in School Stores in Non-HFC Public Schools (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/hfc/school_store_requirements_nonhfc.pdf

Requirements for Foods and Beverages in Vending Machines in Non-HFC Public Schools (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/hfc/vending_machine_requirements_nonhfc.pdf

Requirements for Selling Foods and Beverages in Adult Education Programs (CSDE):

<https://portal.ct.gov/-/media/sde/nutrition/hfc/adultedhfc.pdf>

Resources for Meeting the Federal and State Requirements for Competitive Foods in Schools (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/hfc/resources_federal_state_requirements_competitive_foods.pdf

Sections 10-215b-1 and 10-215b-23 of the Regulations of Connecticut State Agencies:

https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/Title_10Subtitle_10-215b/

Smart Snacks Nutrition Standards (CSDE webpage):

<https://portal.ct.gov/SDE/Nutrition/Smart-Snacks-Nutrition-Standards>

Smart Snacks Product Calculator (Alliance for a Healthier Generation):

<https://foodplanner.healthiergeneration.org/>

Summary of Smart Snacks Nutrition Standards (CSDE):

https://portal.ct.gov/-/media/sde/nutrition/compfoods/summary_smart_snacks_nutrition_standards.pdf

Summary Chart: Federal and State Requirements for Competitive Foods in Non-HFC Public Schools

For more information, visit the CSDE's [Competitive Foods in Schools](#) webpage and [Smart Snacks Nutrition Standards](#) webpage or contact the [school nutrition programs staff](#) at the Connecticut State Department of Education, Bureau of Child Nutrition Programs, 450 Columbus Boulevard, Suite 504, Hartford, CT 06103-1841. This document is available at https://portal.ct.gov/-/media/sde/nutrition/compfoods/summary_chart_requirements_competitive_foods_nonhfc.pdf.

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Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. fax: (833) 256-1665 or (202) 690-7442; or
3. email: program.intake@usda.gov

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